

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

SAMUEL A. JOHNSON; TERESA L.  
JOHNSON; SAMUEL S. JOHNSON;  
JEAN JOHNSON; NEW HOLLAND  
CREDIT COMPANY, n/k/a CNH  
Capital America, LLC; LIVINGSTON  
STATE BANK; FARMERS SAVINGS  
BANK; HOMETOWN BANK; and  
DAVID SCHMITZ DC,

Defendants.

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Case Number 08-cv-0008-bbc

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**ORDER CONFIRMING SALE**

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On reading and filing the report of the United States Marshal for the Western District of Wisconsin, appointed under the judgment entered in the above action to make sale of the premises described in the complaint herein, and it appearing by due proof that due notice of the application to confirm said report and sale was given by mail to all parties or their authorized representatives; and it appearing that the said United States Marshal in making said sale has in all things complied with the judgment of foreclosure heretofore entered in this case and the statutes governing this case.

Now, therefore, on application of Megan McDermott, Assistant United States Attorney, Office of the United States Attorney for the Western District of Wisconsin, attorney for the plaintiff,

IT IS ORDERED:

1. That the sale of the mortgaged premises involved in the above action to Samuel Sven and Jean Alice Johnson, for the sum of \$70,000.00, and the United States Marshal's report of sale as filed herein, be and the same are hereby in all things approved and confirmed.

2. That upon the entry and filing of this Order with the Clerk of the United States District Court for the Western District of Wisconsin, and upon the payment of the balance due to the United States Marshal, the United States Marshal shall deliver the United States Marshal's Deed for the premises involved in this action to:

Samuel Sven and Jean Alice Johnson  
608 County Road X  
Livingston, Wisconsin 53554

3. That the United States Marshal's costs are as follows:

|                |                 |
|----------------|-----------------|
| (a) Fees       | \$180.00        |
| (b) Mileage    | <u>\$ 54.99</u> |
| TOTAL EXPENSES | <u>\$234.99</u> |

The expenses owed to the United States Marshal's Service are to be paid from the proceeds of the sale.

4. That the United States Attorney's costs are as follows:

|     |                       |                 |
|-----|-----------------------|-----------------|
| (a) | OUSA Fees             | \$200.00        |
| (b) | Filing Fees           | \$ 40.00        |
| (c) | Publishing Fees       | \$213.93        |
| (d) | Updated Title Opinion | <u>\$ 75.00</u> |

|                |                 |
|----------------|-----------------|
| TOTAL EXPENSES | <u>\$528.93</u> |
|----------------|-----------------|

The expenses owed to the United States Attorney's Office are to be paid from the proceeds of the sale.

5. That the real estate transfer fee for recording the United States Marshal's Deed for the property is \$210.00. A check for this amount, payable to the Iowa County Register of Deeds, should be mailed by the United States Marshal to the purchaser listed in paragraph 2 above, along with the United States Marshal's Deed.

6. That the Marshal shall pay to Hometown Bank, c/o Attorney Sam Kaufmann, Sager, Colwin, Samuelsen and Associates, S.C., 201 South Marr Street, P.O. Box 2068, Fond du Lac, Wisconsin 54936-2068, the sum of \$70,000.00, less the expenses of the sale, and less the real estate transfer fee, for a net amount of \$69,026.08.

Entered this 24<sup>th</sup> day of September, 2008.

BY THE COURT:

Barbara B. Crabb  
BARBARA B. CRABB  
Chief United States District Judge  
Western District of Wisconsin